

CHARLES HOWARD.

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MAY 17, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. KERR, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 351.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 351) granting a pension to Charles Howard, have examined the same and all the evidence relating thereto and respectfully report:

This bill as amended proposes to pension at \$12 per month Charles Howard, of Salem, Ohio. He served as a private in Company F, Thirty-second Ohio Volunteer Infantry, and participated in two battles, serving as a regular soldier. He is a colored man and was not permitted to be mustered in, although he was permitted to fight.

During his service of several months' duration he incurred disabilities in the line of duty from which he is totally incapacitated for the performance of labor. He is old and poor and must go to the poorhouse unless assisted.

His failure of muster did not extinguish his patriotism, and in view of the facts your committee report the bill back with the recommendation that it pass when amended as follows:

In line 4, after the word "roll," insert the words "the name of."

In line 6, after the word "Infantry," insert "and pay him a pension."

Same line, strike out the word "six" and insert in lieu thereof the word "twelve."

Strike out all of lines 7 to 13, inclusive.

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Your petitioner, whose post-office address is Salem, Columbiana County, Ohio, respectfully represents that he was born in Highland County, Va., being seven-eighths white, and is 51 years old. He came into the Union lines near Huntsville, W. Va., in the fall of 1861, and was taken to headquarters (thinks General Milroy's), where he was sworn in by an officer and was advised to join the Army. He was then uniformed and armed and joined Company F, Thirty-second Regiment Ohio Volunteer Infantry, about December 15, 1861, and did the various duties of a private soldier with said company and regiment. About the last of March, 1862, he was

attacked with camp diarrhea. He still did duty until after the battle of McDowell, W. Va., May, 1862, when he had become much weakened and emaciated, and camp fever also set in, and he was sent to hospital at Franklin, W. Va.; remained there some two or three weeks, when, about June 15, 1862, Capt. W. A. McAlister and Lieut. A. G. Hostetter, of the Thirty-second Regiment Ohio Volunteer Infantry, who were both disabled at that time, were granted leave of absence and brought your petitioner with them to Carroll County, Ohio. They then informed him that he could not be mustered into the service, and therefore they had taken him to their home in Ohio. He remained about one year, receiving medical treatment from Dr. Dibble, of Minerva, Ohio (since dead); then Drs. Stocken and Trago, of Carrollton, Ohio (both since dead); then came to Alliance and resided there one year, receiving treatment from Dr. Thomas (since dead). In the fall of 1864 came to Salem, Ohio, where he has since resided to the present time. On arriving at Salem, Ohio, he received treatment from Dr. Lyon until his decease; then by his successor, Dr. Shane, and then from Dr. Fawcett, who still is his family physician. His occupation has been that of a barber, and he has been and is now unable to perform manual labor by reason of his disabilities, viz, chronic diarrhea.

Not being mustered into service, he has not received any pay for the same or pension for his disabilities contracted in said service, and there being no law through or by which he can apply for and receive the same, and having not in any manner engaged or aided or abetted the rebellion in the United States, your petitioner therefore makes application to the honorable Senate and House of Representatives of the United States of America in Congress assembled, praying that he may be granted pay for said service rendered as above set forth, and asks that he may be granted a pension for his disabilities arising from chronic diarrhea, contracted while serving as above stated.

CHARLES (his x mark) HOWARD.

A. J. KING.  
SMITH R. REED.

Sworn to and subscribed before me this 7th day of January, 1896; and I hereby certify that the contents of the above declaration, etc., were fully made known to the applicant before swearing, and that I have no interest, direct or indirect, in the prosecution of the same.

[SEAL.]

J. D. FOUNTAIN,  
Notary Public.

#### STATE OF OHIO, County of Carroll:

On this 28th day of December, A. D. 1895, personally appeared before me, a notary public in and for the aforesaid county, duly authorized to administer oaths, Theobald D. Yost, aged 56 years, a resident of Minerva, in the county of Stark and State of Ohio, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

I was first lieutenant of Company F, Thirty-second Regiment Ohio Volunteer Infantry, at the time and on the dates hereafter referred to and was with said company and regiment in the discharge of my duty as such officer, and will say concerning the aforesaid claim as follows: Said Charles Howard came to the company aforesaid at Cheat Mountain Summit some time in the winter of 1861 and 1862, and was with said company until some time in June or July, 1862. I can not now call to mind whether or not said Howard was uniformed and carried a musket, only he was with us on scouts and foraging expeditions that I distinctly remember. Am satisfied said Howard would not have been taken with the company unless he carried a gun and performed the duties of a soldier. Said Howard took part in the fight at Monterey, and also that of McDowell Hill, W. Va., in the spring of 1862. He was with the company until we arrived at Franklin, W. Va., in the spring of 1862. Was taken sick and left at the hospital at Franklin, W. Va. I was afterwards captain of Twenty-sixth Ohio Battery Light Artillery. I further declare that I have no interest in said case and am not concerned in its prosecution. Post-office address, Minerva, Ohio.

T. D. YOST,  
Late Captain Twenty-sixth Ohio Battery Volunteer Light Artillery.

#### STATE OF OHIO, County of Carroll, ss:

Sworn to and subscribed before me this day by the above-named affiant; and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me, and that he is a credible person.

[SEAL.]

M. V. B. UNDERWOOD,  
Notary Public.

STATE OF OHIO, *County of Stark:*

On this 13th day of February, A. D. 1896, personally appeared before me, a notary public in and for the aforesaid county, duly authorized to administer oaths, James Yant, a resident of Canton, in the county of Stark and State of Ohio, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

Affiant served in Company F, Thirty-second Regiment Ohio Volunteer Infantry, and Twenty-sixth Independent Battery, Ohio Light Artillery Volunteers, in war of rebellion, and was acquainted with Charles Howard; served with him in Company F, Thirty-second Regiment Ohio Volunteer Infantry. He came to the company in West Virginia, fall of 1861, and served in the company as a soldier until about June, 1862, when he was sent to hospital at Franklin, Va., suffering from camp diarrhea, and he did not return to company again while affiant was with same. He was engaged with us in the battles of Monterey and McDowell, in West Virginia. I was corporal and sergeant in the company at that time. Have made the above statement orally to D. K. Bush in his office in Canton, Ohio, on the 13th day of February, A. D. 1896, and was written by him and is made from my personal knowledge without being prompted in any manner; and he further declares that he has no interest in said case and is not concerned in its prosecution.

JAMES YANT.

STATE OF OHIO, *County of Stark, ss:*

Sworn to and subscribed before me this day by the above-named affiant; and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

[SEAL.]

D. K. BUSH, *Notary Public.*STATE OF OHIO, *County of Jefferson, ss:*

On this 8th day of May, A. D. 1895, personally appeared before me, a notary public in and for the aforesaid county, duly authorized to administer oaths, Pleasant Brown, aged 80 years, a resident of Steubenville, in the county of Jefferson and State of Ohio, well known to me to be reputable and entitled to credit, and who, being duly sworn, declared in relation to the aforesaid case as follows:

The contents of this affidavit were written in his presence and from his oral statements, as made to Joseph Hall, of Steubenville, in the county of Jefferson and State of Ohio, on this 8th day of May, 1895, and that he did not use and was not aided or prompted by any written or printed statement or recital proposed as or dictated by any other person. Affiant is now and has been for the last fifty years well and intimately acquainted with the said Charles Howard, and well remembers at the time affiant and said Howard went from Crab Bottom, Highland County, Va. (near Monterey), in December, 1861, to Huttonsville, W. Va., to enlist in the United States Army; he saw said Howard enlist in Company F, Thirty-second Regiment Ohio Volunteers; he saw General Milroy give Howard a note or order to General Potts, of the Thirty-second Regiment Ohio, and then and there he saw Howard with uniform, knapsack, and musket, and knew he was put on duty for service as a private; and after that time—say April, 1862—he did not know anything further about Howard, as he left the Army on the Allegheny Mountains and came to Wheeling, W. Va. And he further declares that he has no interest in said case and is not concerned in its prosecution.

PLEASANT BROWN.

STATE OF OHIO, *County of Jefferson, ss:*

Sworn to and subscribed before me this day by the above-named affiant; and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

[SEAL.]

JOSEPH HALL, *Notary Public.*STATE OF OHIO, *County of Columbiana:*

On this 26th day of December, A. D. 1895, personally appeared before me, a notary public in and for the aforesaid county, duly authorized to administer oaths, Charles L. Fawcett, aged 63 years, a resident of Salem, in the county of Columbiana and State of Ohio, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

I am a practicing physician and have been acquainted with said soldier for twenty years, and was not acquainted with claimant prior to enlistment, and did not treat

him when in the United States service nor when on furlough. I became his family physician in April, 1875, and have been ever since. I have prescribed for him for chronic diarrhea a number of times each year since April, 1875. Treatment only affords temporary relief. I am satisfied the disease has incapacitated him fully one-half each year for the performance of manual labor.

I have prepared and written the above statement at my office in Salem, Ohio, on the 26th day of December, 1895, from personal knowledge gained by being his physician, and I further declare that I have no interest in said case and am not concerned in its prosecution.

C. L. FAWCETT, M. D.

STATE OF OHIO, *County of Columbiana*, ss :

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me, and that he is a credible person.

[SEAL.]

J. D. FOUNTAIN,  
*Notary Public.*

STATE OF OHIO, *County of Stark*:

On this 3d day of December, A. D. 1895, personally appeared before me, a justice of the peace in and for the aforesaid county, duly authorized to administer oaths, Gustav A. Shane, aged 55 years, a resident of Waynesburg, in the county of Stark and State of Ohio, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows: He has been a practicing physician for twenty-eight years, and acquainted with soldier for three years, and that he was a resident of Salem, Ohio, in the years 1874 and 1875, during which time he treated Charles Howard professionally for chronic diarrhea. The said Howard then said this disease was contracted during the war of the rebellion and was contracted while in the military service of the United States.

The disease was of such character that, while for a time amenable to medical treatment, it would upon discontinuance of the same recur, said recurrence following invariably a cessation of treatment.

The affiant declares it as his professional opinion that the disease of the named Charles Howard was due to organic diseases of the gastrointestinal system that were permanent, and that, while modifications of the dominant symptoms were possible, permanent cure was of doubtful accomplishment. The affiant says the above statement is made from personal recollection and is in no wise suggested or dictated by any other person, and he further declares that he has no interest in said case and is not concerned in its prosecution.

GUSTAV A. SHANE.

STATE OF OHIO, *County of Stark*, ss :

Sworn and subscribed to before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution; and that said affiant, Gustav A. Shane, is personally known to me, and that he is a credible person.

[SEAL.]

H. C. BAILEY,  
*Justice of the Peace.*

STATE OF OHIO, *County of Columbiana*:

On the 25th day of November, A. D. 1895, personally appeared before me, a notary public in and for the aforesaid county, duly authorized to administer oaths, Diana Rummage, aged 54 years, a resident of Salem, in the county of Columbiana and State of Ohio, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

I became acquainted with the claimant in 1863, at Alliance, Ohio; saw him at this time two or three times each week at the hotel where I was working, and he complained frequently of not feeling well, having a bowel trouble. We both came to Salem, Ohio, in 1864, and have lived here since to the present time. From 1864 to 1869 I saw him quite often, and then for five years I made my home with his family, and know he suffered very much from bowel trouble and was frequently treated by Dr. Lyon, who is since deceased. Since that time I have kept up an acquaintance with him and know that he has continued to complain of diarrhea.

This testimony was written by J. D. Fountain, and in my presence and only from

my oral dictation, on this 25th day of November, 1895, and in making the same I was not prompted or aided by any written or printed statement prepared or dictated by any other person and not attached as an exhibit to my testimony; and I further declare that I have no interest in said case and am not concerned in its prosecution.

her  
DIANA X RUMMAGE.  
mark

W. C. HUTCHESON.  
C. A. SCHERMERHORN.

STATE OF OHIO, *County of Columbiana*, ss:

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant and acquainted her with its contents before she executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution.

[SEAL.]

J. D. FOUNTAIN,  
*Notary Public.*

STATE OF OHIO, *County of Columbiana*:

On this 26th day of December, A. D. 1895, personally appeared before me, a notary public in and for the aforesaid county, duly authorized to administer oaths, Hugh G. Wright, aged 60 years, a resident of Salem, in the county of Columbiana and State of Ohio, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

I was a member of Company A, Thirty-second Ohio Volunteer Infantry; knew Charles Howard from 1861—say November of that year—until June, 1862; saw him frequently with Company F, Thirty-second Ohio Volunteer Infantry, doing soldier duty, dressed in regular uniform, and said Charles Howard was in actual duty at the battle of McDowell, in Virginia, and I saw him there with musket.

HUGH G. WRIGHT.

This affidavit was written by me from facts within my own personal knowledge, on this date; and I further declare that I have no interest in said case, and am not concerned in its prosecution.

HUGH G. WRIGHT.

JAMES M. REED.  
WM. H. RESSLER.

STATE OF OHIO, *County of Columbiana*, ss:

Sworn to and subscribed before me this day by the above-named affiant; and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

[SEAL.]

J. D. FOUNTAIN,  
*Notary Public.*

On this 29th day of November, A. D. 1895, personally appeared before me, a notary public in and for the aforesaid county, duly authorized to administer oaths, Lawson Harper, aged 60 years, a resident of Salem, in the county of Columbiana and State of Ohio, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares, in relation to aforesaid case, as follows:

Became acquainted with the claimant, Charles Howard, on his coming to Salem in the fall of 1864, and have been acquainted with him ever since to the present time. He boarded with me for several months that fall and winter, and I remember well that at that time he had poor health and was very poor in flesh, being bothered with diarrhea, and I remember of him getting and using medicine for his ailment, and know that he was treated by Dr. Lyon up to the time of his death. I have never considered him a person able to perform manual labor on account of his bowel trouble. This affidavit was written in my presence, and only from my oral statements made this 29th day of November, 1895, before J. D. Fountain, at Salem, in the State of Ohio, and in making the same I did not use, nor was not aided or prompted, by any written or printed statement or recital prepared or dictated by any other person, and not attached as an exhibit to my testimony; and I further declare that I have no interest in said case and am not concerned in its prosecution.

LAWSON HARPER.



STATE OF OHIO, *County of Columbiana*, ss:

Sworn and subscribed before me this day by the above-named affiant; and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

[SEAL.]

J. D. FOUNTAIN,  
*Justice of the Peace.*

STATE OF OHIO, *county of Columbiana*:

On this 6th day of January, A. D. 1896, personally appeared before me, a notary public in and for the aforesaid county, duly authorized to administer oaths, Fitz Allen Brady, aged 64 years, a resident of Salem, in the county of Columbiana and State of Ohio, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares, in relation to aforesaid case, as follows:

I first became acquainted with Charles Howard, the claimant, when he came to Salem in the fall of 1864, and have since that time kept up an acquaintance with him to the present time. Soon after my first acquaintance with him I learned that he suffered very much from chronic diarrhea, and since that time have frequently heard him complain of this trouble; and I further declare that I have no interest in said case and am not concerned in its prosecution.

FITZALLEN BRADY.

STATE OF OHIO, *County of Columbiana*:

Sworn to and subscribed before me this day by the above-named affiant; and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

[SEAL.]

J. D. FOUNTAIN,  
*Notary Public.*

SALEM, OHIO, *November 30, 1895.*

MY DEAR SIR: Permit me to state that I have personally known Mr. Charles Howard, of this city, for more than twenty years, and take pleasure in saying that I have during these years always regarded him as a worthy and highly respected citizen.

Yours, very truly,

C. TOWNSEND.

Hon. R. W. TAYLER, *Washington, D. C.*

SALEM, OHIO, *December 18, 1895.*

DEAR SIR: Mr. Charles Howard, of this city, is, as I understand, an applicant for a pension on account of disabilities contracted in the service in the war of the rebellion as a private in Company F, Thirty-second Ohio Volunteer Infantry, and desires me to drop you a note in relation to the matter.

Of course I have no personal knowledge on the subject, but I have always understood that he was in the service, and my information is that he was enlisted and served, but was never formally mustered into the service, and that this lack of formal muster is the difficulty in his obtaining a pension, and that this will require a special act to entitle him to a pension. Mr. Howard has resided here ever since the war, and is a reputable citizen, and I have no doubt that what he says about his service is all right.

If you can aid him in the matter he will very highly appreciate any service you may render him in the premises, and I will be glad to have you do anything which you rightfully can for him.

Yours, very truly,

J. A. AMBLER.

Hon. R. W. TAYLER, *Washington, D. C.*